



# City of NORFOLK

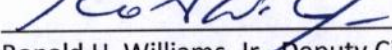
C: Dir., Department of Planning and Community Development

To the Honorable Council  
City of Norfolk, Virginia

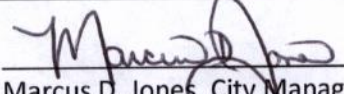
May 19, 2015

FROM: George M. Homewood, AICP CFM, Planning Director

SUBJECT: **The closing, vacating and discontinuing of portions of Merrimac and Cary Avenues.**

REVIEWED:   
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 3/7

APPROVED:   
Marcus D. Jones, City Manager

Item Number: **PH-7**

- I. **Staff Recommendation:** Approval
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Street closure of a portion of Merrimac Avenue lying northwest of Cary Avenue and a mostly triangular portion of Cary Avenue lying northwest of Cary Avenue, due West of Merrimac Avenue.
- IV. **Applicant:** Norfolk Redevelopment and Housing Authority
- V. **Description:**
  - The rights-of-way to be closed are located in Broad Creek which is developed with a variety of residential uses.
  - The rights-of-way will be combined with adjacent parcels for proposed new residential developments on the surrounding sites.
  - Needed water and sewer utility abandonments will be accommodated at the applicant's expense.
  - This property, if closed, will convey at no cost.
- VI. Staff point of contact: Jeffrey Raliski at 664-4766, [jeffrey.raliski@norfolk.gov](mailto:jeffrey.raliski@norfolk.gov)

Attachments:

- Ordinance
- Staff Report to CPC dated April 23, 2015 with attachments
- Proponents and Opponents



# City of NORFOLK

## Planning Commission Public Hearing: April 23, 2015

Executive Secretary: George M. Homewood, AICP, CFM

Staff: Jeffrey K. Raliski, AICP

Staff Report	Item No. 14	
Applicant	Norfolk Redevelopment and Housing Authority	
Request	Street Closure of Portions of Merrimac and Cary Avenues	
Site Characteristics	Zoning	PD-BCR (Planned Development Broad Creek Renaissance)
	Neighborhood	Broad Creek
	Character District	Traditional
Surrounding Area	North	PD-BCR: Vacant
	East	PD-BCR: Vacant
	South	PD-BCR: Residential
	West	PD-BCR: Vacant



810 Union Street #1101 ■ Norfolk, Virginia 23510  
Phone: 757-664-4242 ■ Fax: 757-664-4239



#### **A. Summary of Request**

- This agenda item is to close a portion of Merrimac Avenue lying northwest of Cary Avenue and a mostly triangular portion of Cary Avenue lying northwest of Cary Avenue, due West of Merrimac Avenue.
- The rights-of-way to be closed are located in Broad Creek which is developed with a variety of residential uses.
- The rights-of-way will be combined with adjacent parcels for proposed new residential developments on the surrounding sites.
- Needed water and sewer utility abandonments will be accommodated at the applicant's expense.

#### **B. Financial Impact**

- This property, if closed, will convey at no cost.

#### **C. Impact on the Environment**

- Closure of this right-of-way will facilitate new residential development in a currently vacant area of Broad Creek.

#### **D. Impact on Surrounding Area/Site**

- Closure of these existing rights-of-way will not create additional traffic in the Broad Creek neighborhood.

#### **E. Civic League**

- Letter was sent to the Broad Creek Civic League on March 13.

#### **F. Community Outreach/Notification**

- Legal notice was posted on March 17.
- Letters were mailed to all property owners within 300 feet of the property on April 9.
- Legal notification was placed in *The Virginian-Pilot* on April 9 and April 16.

#### **G. Recommendation**

Staff recommends that the proposed closures of portions on Merrimac and Cary Avenues be approved.

#### **Attachments**

- Location Map
- Zoning Map
- Civic League Letter

**Proponents**

Kevin Wood


Pennoni Associates

349 Southport Circle, Suite 100

Virginia Beach VA 23452

**Opponents**

Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved:

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE CLOSING, VACATING AND DISCONTINUING A PORTION OF MERRIMAC AVENUE AND A PORTION OF CARY AVENUE IN BROAD CREEK, AND AUTHORIZING THE CONVEYANCE OF ANY INTEREST IN THE SAID VACATED PORTIONS OF RIGHT-OF-WAY TO NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY BY QUITCLAIM DEED.

- - -

WHEREAS, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, the City Council has the authority to close, vacate and discontinue public rights-of-way, and the requirements for the vacation of public rights-of-way have been met; and

WHEREAS, after a public hearing, the City Planning Commission recommended that the said portions of Merrimac Avenue and Cary Avenue be closed, vacated and discontinued; and

WHEREAS, it is the judgment of the Council that the said portions of right-of-way are not needed for public use and travel and should be closed, vacated and discontinued; now therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the portion of Merrimac Avenue, as described in Exhibit A and shown on Exhibit C, attached hereto, is closed, vacated and discontinued as a public right-of-way of the City of Norfolk.

Section 2:- That the portions of Cary Avenue, as described in Exhibit B and shown on C, attached hereto, is closed, vacated and discontinued as a public right-of-way of the City of Norfolk.

Section 3:- That the conveyance to Norfolk Redevelopment and Housing Authority, by quitclaim deed, of any and all right, title and interest the City may possess in and to the vacated right-of-way is hereby authorized.

Section 4:- That this ordinance shall be in effect from and after thirty (30) days from the date of its adoption.



**PORTION OF MERRIMAC AVENUE**

A mostly rectangular lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being that portion of Merrimac Avenue, lying northwest of Cary Avenue and being further described as follows: BEGINNING at a point that is the northwest corner of Site A, said lot being shown on that certain plat entitled, "Plat Showing Pump Station #31 for Roberts Park East," said plat being duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia, in Map Book 47, Page 153; thence, from the point of beginning thus described, S 39° 52' 30" E, 43.12 feet, to the point of curvature on the eastern line of Merrimac Avenue; thence 23.56 feet, along the arc of a curve to the left, having a radius of 15.00 feet, and a chord distance of 21.21 feet, and a bearing of S 84° 52' 30" E, to a point, on the northern right of way line of Cary Avenue; thence S 50° 07' 30" W, 80.00 feet, along the northern right of way line of Cary Avenue, to a point of curvature, thence, leaving the Cary Avenue right of way, on the western line of Merrimac Avenue; 23.56 feet, along the arc of a curve to the left, having a radius of 15.00 feet, and a chord distance of 21.21 feet, and a bearing of N 05° 07' 30" E, to a point, thence N 39° 52' 30" W, 43.12 feet, more or less, to a point; thence N 50° 07' 30" E, 50.00 feet, more or less, to the point of beginning, all as shown on an exhibit entitled, "Exhibit Showing a Closure of a Portion of Merrimac Avenue and Cary Avenue at Broad Creek Phase V" said exhibit being dated September 30, 2014, and being prepared by Pennoni Associates Inc., Consulting Engineers, Norfolk, Virginia 23502.

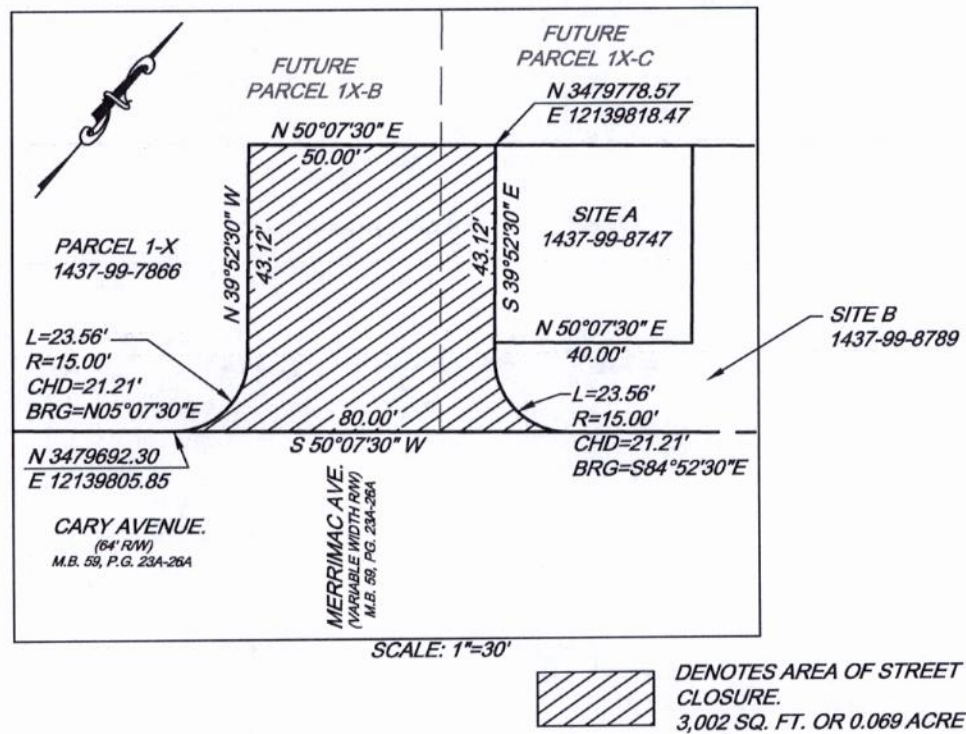
The above-described parcel contains 0.069 acre of land, more or less.

## PORTION OF CARY AVENUE

A mostly triangular lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, said parcel being that fillet portion of Cary Avenue, lying northwest of Cary Avenue, due West of Merrimac Avenue and being further described as follows: BEGINNING at a point that is at the southwest corner of Parcel 1X, said lot being shown on that certain plat entitled, "Subdivision Plat Creating Parcel 1X, 1XA, Lots 17 & 18 Being a Portion of Residual Lands of NRHA (M.B. 59 pages 23A-26A)" said plat being duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia, in Map Book 65, Page 52 and which point is also the return of the radius along the North side of Cary Avenue; thence, from the point of beginning thus described, 16.29' along an arc of a curve to the right, having a radius of 218.00', and a chord distance of 16.29' and a bearing of S 81° 57' 59" W, to a point on the eastern line of the remainder of the Broad Creek Renaissance Phase III property described in that certain plat entitled, "Resubdivision Creating Broad Creek Renaissance Phase III Parcels 3A-1, 3A-3, 3A-5 and Lots 1 through 10, Inclusive" said plat being duly recorded in the said Clerk's Office in Map Book 57, Page 49; thence, N 04° 09' 52" W, 0.35' to a point of curvature on the said easterly line of the Broad Creek Renaissance Phase III remainder; thence, 15.06' along the arc of a curve to the right, having a radius of 370.00', and a chord distance of 15.06', and a bearing of N 05° 19' 51" W, to a point of return for the easterly radius of the said Cary Avenue fillet; thence, 5.26' along the arc of a curve to the left, having a radius of 15.00', and a chord distance of 5.23', and a bearing of S 16° 32' 13" E, to a point on a curve of the said Cary Avenue fillet at the intersection with the westerly property line of the said Parcel 1X; thence, 19.27' along the arc of a curve to the left, having a radius of 15.00', and a chord of 17.97', and a bearing of S 63° 22' 56" E to the point of beginning, all as shown on an exhibit entitled, "Exhibit Showing a Closure of a Portion of Merrimac Avenue and Cary Avenue at Broad Creek Phase V" said exhibit being dated September 30, 2014, and being prepared by Pennoni Associates Inc., Consulting Engineers, Norfolk, Virginia 23502.

The above-described parcel contains 0.001 acre of land, more or less.

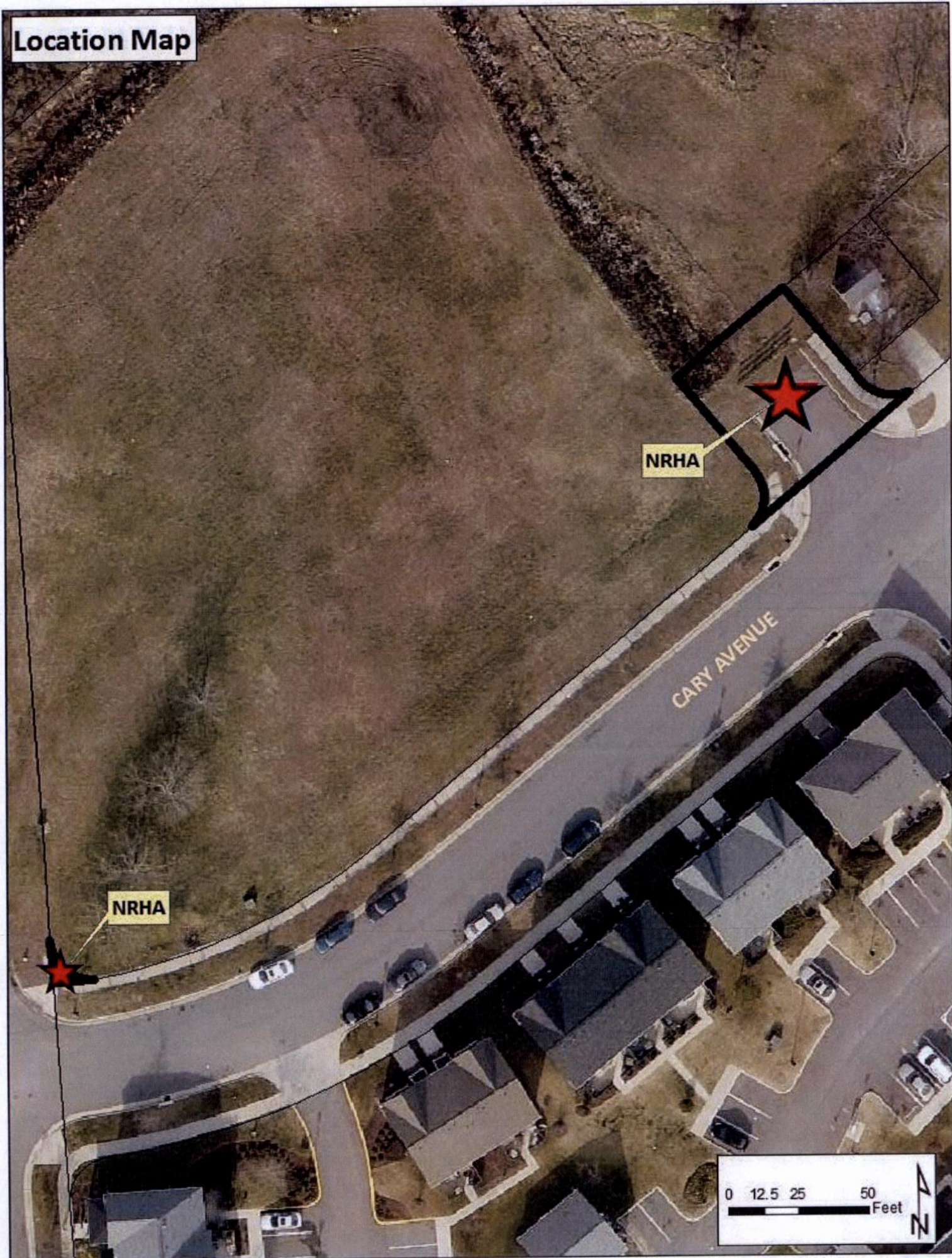




REVISÉ: 10/10/14

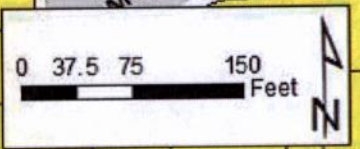
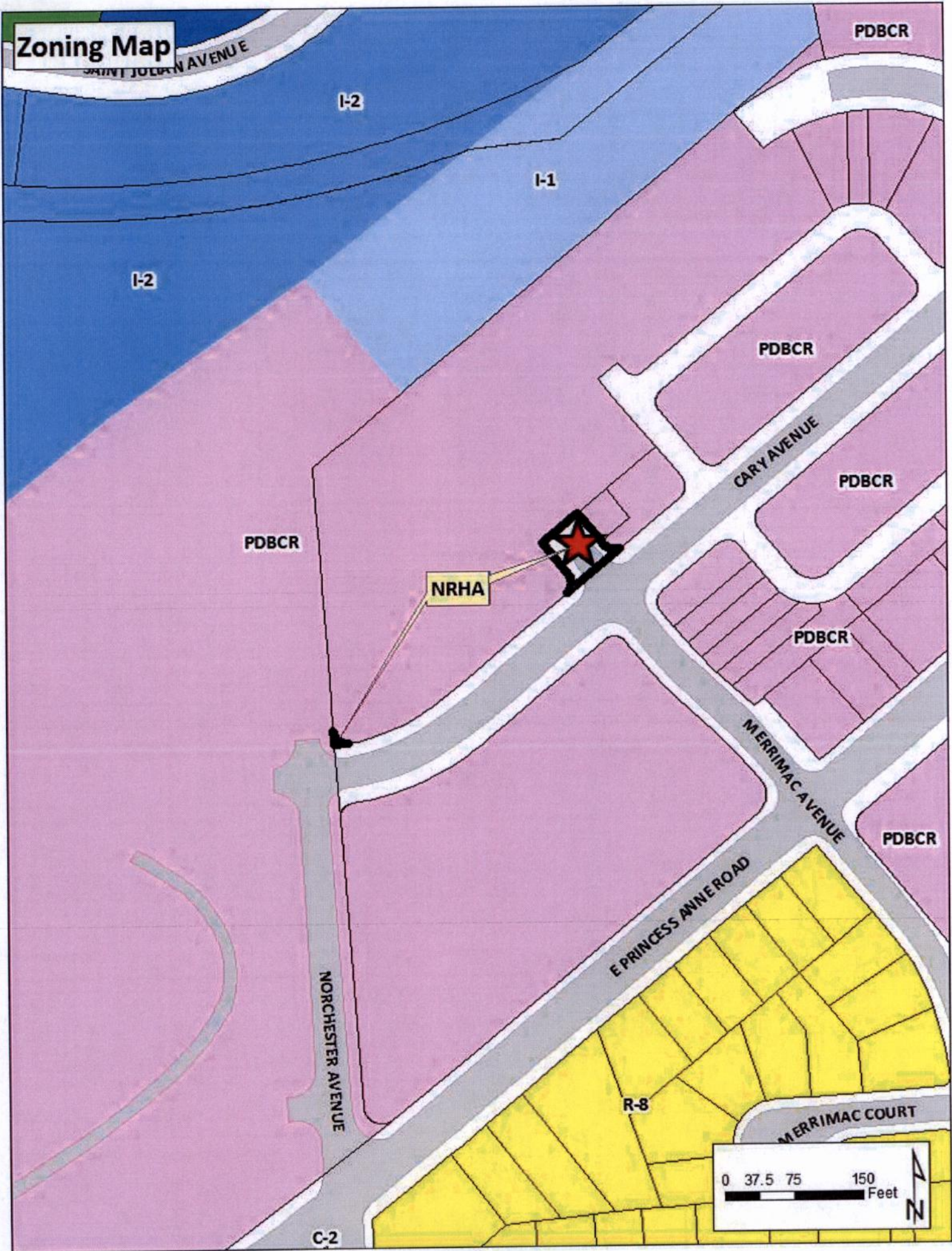


Location Map





# Zoning Map







*City of*  
**NORFOLK**

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March 13, 2015

Ms. Stella Council  
President, Broad Creek Civic League  
PO Box 7802  
Norfolk, VA 23509

Dear Ms. Council:

The Planning Department has received an application from Norfolk Redevelopment and Housing Authority to close, vacate and discontinue portions of Merrimac Avenue and Cary Avenue. These items are tentatively scheduled for the April 23, 2015 City Planning Commission public hearing.

If you would like additional information on the requests, you may contact Jeff Raliski in the Planning Department at (757) 664-4766 or Kevin Wood, the applicant's representative, at (757) 497-7472. Copies of the applications are enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "George M. Homewood", followed by a horizontal line.

George M. Homewood, AICP, CFM  
Planning Director